

## REMARKS

In the Advisory Action dated November 17, 2006, the Examiner stated that the Response filed October 20, 2006 raised new issues and would not be considered. Applicants have filed a Request for Continued Examination and have submitted this response therewith.

Claims 11, 13-22, 37, 39-41, 43 and 44 are pending in the present application. In the Office Action dated July 17, 2006, claims 11, 17, 18, 20, 22, 37 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,941,946 to Baldwin et al. ("Baldwin") in view of U.S. Patent No. 6,654,787 to Aronson et al. ("Aronson"). Claims 13, 16, 19, 21, 39 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Baldwin and Aronson in further view of U.S. Patent No. 6,275,848 to Arnold ("Arnold"). Claims 14, 15, 40, and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Baldwin, Aronson, and Arnold in further view of U.S. Patent No. 6,311,310 to Foladare et al. ("Foladare").

Applicant notes that, to date, the Form PTO-1449 from the Supplemental Information Disclosure Statement filed March 8, 2004, has not been returned.

### Interview Summary

On January 5, 2007, Applicant's representative conducted a telephone interview with the Examiner. Applicant's representative asserted that claims as amended in the Response submitted October 20, 2006 distinguished over the art of record. The Examiner agreed that the amended claims would distinguish over the art of record if amended to refer to deleting of a multi-recipient email for an entire group after the email has been sent and accessed by each recipient and none have indicated it was to be saved. The Examiner further stated that the claims could be distinguished from the cited art by amending the claims to recite the deletion of a multi-recipient email after each of the recipients have indicated that it is to be deleted.

### Discussion of the Disclosed Embodiment

The disclosed embodiments of the invention will now be discussed in comparison to the prior art. Of course, the discussion of the disclosed embodiments, and the discussion of the differences between the disclosed embodiments and the prior art subject matter, do not define the scope or interpretation of any of the claims. Instead, such discussed differences merely help the Examiner appreciate important claim distinctions discussed thereafter.

The present application discloses a method and system for distributing an email communication to multiple recipients while drastically reducing storage space requirements. In

one embodiment, an email communication containing an indication of the recipient(s) is received at a server hosting an email communication program. The program makes a determination whether the indication is for multiple recipients. Unlike conventional methods, including those recited in the cited references, the program makes a conditional decision that if the indication is for multiple recipients, the program does not send the email communication to the recipients, but rather centrally stores the email communication on a server, and sends only a short notification of the email communication to each of the multiple recipients without sending the email communication itself. Thus, a single copy of the email communication can be stored on a server computer for delivery on an individual basis to multiple recipients when requested. The program does not send the email communication to any recipient until it receives a response from at least one of the recipients that contains a request for the email communication. If the indication is not for multiple recipients the email communication is sent to the recipient without being stored.

Embodiments of the present invention further provide an efficient method for archiving emails. In conventional email systems, an email server is a transitory storage location only, serving to store emails until retrieved. In such systems, archiving takes place on the user's own personal computer or personal storage space on a server. In prior systems, where an email is sent to multiple recipients, each person stores their own copy in their own personal storage space. In one embodiment of the present invention, the email communication program saves a single copy of an email intended for multiple recipients if any of the recipients indicates that it is to be saved, and otherwise deletes the message. In this manner, personal storage space of each recipient is not required to archive the message. The message is also centrally stored in order to provide access and security not available for messages stored on an individual's workstation or personal storage space.

#### Discussion of the Prior Art

Baldwin discloses a system for sending, receiving, and storing messages in a wide area network (WAN). Message stores located throughout the network store messages. Col. 4, lns. 17-20. A virtual mailbox, also stored on the WAN, is provided for an individual user. Col. 4, lns. 45-46. The virtual mailbox receives notices to the user that a message is available in the message store and allows the user to view the messages in the message store. Col. 4, lns. 45-54. Messages intended for multiple recipients are stored in the message stores as well. Col. 3, lns. 52-56. ("...the sender may store access authorization information for the message with the

message in the message store. The access authorization information may be the list of intended recipients, unlimited in the case of publicly available information or specified by identifiable characteristics of a group...). As with messages intended for individual recipients, messages intended for multiple recipients remain in the message store after having been viewed. Col. 5, lns. 57-61 ("After the message has been accessed by the recipient and/or additional persons of the specified class the message remains stored in the message stores in the WAN for access by additional intended recipients and other persons satisfying the access authorization information.").

Baldwin makes no provision for automatic deletion of messages nor for deletion of a multi-recipient email unless one of the recipients indicates that it is to be saved on the WAN. As noted above, both single- and multi-recipient messages are accessed in the same manner through pointers in the virtual mailbox. Accordingly, Baldwin does not send single recipient emails without any input from the recipient while requiring input before sending multi-recipient emails.

Aronson discloses a proxy server that responds to requests for new mail by retrieving new mail from an email server and subjecting the mail to a spam filtering routine. Col. 8, ln. 31 – Col. 9, ln. 40. Those messages surviving the filtering routine are forwarded to the user according to conventional email protocols. Messages tagged as spam are not forwarded to the user in response to requests for new mail. Col. 8, lns. 46-64. However, a user may request to view messages that have been filtered as spam. Col. 8, lns. 65-68.

Where a message has been tagged as spam, "a single copy of that message is stored in a spam storage module, regardless of how many different e-mail users the message is addressed to." Col. 10, ln. 66-Col. 11, ln. 1. Aronson does not teach any other differences in the handling of messages intended for single and multiple recipients. In particular Aronson does not disclose forwarding a spam message to a user if it is for a single recipient and declining to do so when the spam message is for multiple recipients unless a request is received. Aronson further fails to teach that a spam message having multiple recipients is deleted unless a recipient indicates that the spam message is to be saved.

Arnold teaches a system that processes messages having attached files. The attached file is stored by the system and the message is forwarded to the recipient along with a pointer used to access the file on the system. Abstract. Where a message has multiple recipients,

an access list is associated with the attached file. Col. 4, lns. 25-29. As each user accesses the attached file, the user is deleted from the access list. “Once the access list goes to null (i.e., all the intended recipients are deleted from the access list), the attachment is deleted (i.e. removed) from the server.” Col. 4, lns. 54-57. Arnold makes no provision for a recipient to indicate that the attached file is to be saved on the server.

Foladere discloses a system in which a centralized electronic mail device manages the delivery of a user’s email to various devices through which the user accesses email (“For example, computers, personal digital assistants (PDAs), alpha numeric pagers, two-way pagers, and the like.” Col. 3, lns. 2-4). The centralized electronic mail device stores a user profile in which a user indicates that when a specific device accesses a mail message the message is to be deleted from a specific list of other devices associated with the user. Col. 3, lns. 25-30. “If the receiving party accesses the electronic mail message on any of the electronic mail receiving devices, the electronic mail message is then deleted from the other electronic mail receiving devices identified as being flagged for deletion in the profile information...” Col. 3, lns. 59-63.

The deletion of Foladere takes place on the client devices where a message is viewed, rather than on a centralized server that manages the distribution of email. The system of Foladere also does not provide for a user to indicate that a particular message is to be saved, but rather applies a device specific criteria based on whether the message has been accessed on a different device. Furthermore, the system of Foladere relates only to messages sent to a single recipient who has multiple means for accessing email. The deletion of emails does not depend on whether multiple people access an email and whether one of them indicates it is to be saved. The system of Foladere further does not send single recipient emails while declining to send messages for multiple recipients until requested by the recipients.

#### Discussion of the Claims

Turning now to the claims, the patentably distinct differences between the cited references and the claim language will be specifically pointed out. Claim 11 recites, in-part, “determining by the Email communication program, whether multiple recipients of the Email communication have been indicated in the received indication; if it is determined that multiple recipients have been indicated, *storing a single copy of the Email communication on the server*; notifying each of the multiple recipients of the Email communication without sending the Email communication to the recipients; and in response to a request for the Email communication from

a recipient, sending the Email communication to the recipient; *saving the Email communication if any one of the recipients indicate it is to be saved*; and *when it is determined that the Email communication has been sent and accessed by all of the recipients, deleting the stored Email communication by the Email communication program if none of the recipients indicate it is to be saved*; and if it is determined that multiple recipients have not been indicated, sending the Email communication to the recipient without waiting for a request for the Email communication.” Baldwin, Arnold, Aronson, and Foladare, whether alone or in combination fail to disclose these steps. Claim 11 is therefore patentable over the cited references.

Claim 15 has been amended to include all of the limitations of claim 11 (except amendments made in this paper) and further recites the step “when it is determined that the Email communication has been sent to all of the recipients and that all of the recipients have indicated that the Email communications can be deleted, deleting the stored Email communication by the Email communication program.” Baldwin, Arnold, Aronson, and Foladare, whether alone or in combination fail to disclose this step. Claim 15 is therefore patentable over the cited references.

Claim 37 recites, in-part, “if it is determined that multiple recipients have been indicated, storing a single copy of the Email communication on a server; notifying each of the multiple recipients of the Email communication without sending the Email communication to the recipients; in response to a request for the Email communication from a recipient, sending the Email communication to the recipient; and *saving the Email communication if any of the recipients have indicated that the Email communication is to be saved*; *when it is determined that the Email communication has been sent to all of the recipients, deleting the Email Communication if none of the recipients have indicated that the Email communication is to be saved.*” (Emphasis Added). The cited references, whether alone or in combination fail to teach this step. Claim 37 is patentable over the cited references.

Claim 41 recites, in-part, “an Email communication distributor program that ..... *sends the Email communication to a single recipient without waiting for a request for the Email communication if it is determined that multiple recipients have not been indicated.*” (Emphasis Added). Again, the cited references and, in particular Baldwin, do not teach or suggest this step, therefore, claim 41 is patentable over the cited references.

Claim 41 has been further amended to include *"a communication tracker configured with the Email communication distributor program for deleting the stored Email communication when it is determined that the Email communication has been sent to all of the recipients and that the Email communication has not been indicated to be saved by any of the recipients and saving the stored Email communication on the server if any one of the recipients indicate that the message is to be saved."* None of the cited references whether alone or in combination disclose this feature. Claim 41 is therefore allowable.

Claims depending from claim 11, 37, and 41 are also allowable due to depending from an allowable base claim and further in view of the additional limitations recited in the dependent claims.

Conclusion

All of the claims remaining in the application (claims 11, 15-22, 37, 39, 41, and 43) and added claim 45 are clearly allowable. Favorable consideration and a timely Notice of Allowance are earnestly solicited.

Respectfully submitted,

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